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CERTIFICATE OF FACSIMILE

Attorney Docket No. 01711/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shigenori MORIKAWA

Serial No. : 09/991,774

Filed: November 5, 2001

For : DATA COMMUNICATION TERMINAL

Art Unit : 2661

Examiner : CHIN, WELLINGTON

INFORMATION DISCLOSURE STATEMENT WITH STATEMENT UNDER 37 CFR 1.97(e)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

Submitted herewith are the following:

- (1) Copy of a Chinese Office Action dated October 29, 2004 (and English translation thereof) issued in the counterpart Chinese application;
- (2) Copies of cited publications except for WO 99/65183; and
- (3) Form PTO/SB/08A.

An English translation of said Chinese Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

WO 99/65183 cited in the enclosed Chinese Office Action was previously cited in the IDS filed September 26, 2002. Thus, WO 99/65183 is not being cited in this IDS.

TRANSMISSION
TO NO. 1-703-872-9306

TOTAL PAGES: 27
I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents.

P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date noted below.

N. Sarable

Nalini P. Sahadco

Dated: December 22, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other for required in connection with this Paper to Account No. 05-1378.

STATEMENT UNDER 37 CFR 1.97(a)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of October 29, 2004. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

Respectfully submitted,

Leonard Holtz Esq Reg. No. 22 974

Encls.

Dated: December 22, 2004

Frishauf, Holtz, Goodman & Chick, P.C. 767 Third Avenue, 25th Floor New York, New York 10017-2023 Tel. No. (212) 319-4900 Fax. No. (212) 319-5101 LH/nps

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DATE MAILED: December 22, 2004